G. R. S. 59]

(No I)

GENERAL AND REVENUE SECRETARIAT.

19

( )

File No. 10-1895

Serial Nos. II

Papers Filed.

Month——

SUBJECT.

PREVIOUS REFERENCES. LATER REFERENCES

L326-40-(1-2)

MUZRAI DEPARTMENT.

OFFICE NOTE.

SUBJECT:— Alienation of the Inamcamgam village of Inamgandlli attached to the Sri Vettamudi mutt.

LAST REFERENCE.

Letter No. 46 dated 19th Dec. 1... from the Inam Superintt.

The village of Inamgandlli in the Kondi-gora Sub-Taluk was granted to the Sri Vettamudi mutt at Hulimavidipur, as Inamcamgam. A c of the Inam Register of the said village received from the Inam Superintendent shows that it had been originally granted.

A

108

2 2/

Swamimangalam before the year 1801; and that it was confirmed as such by Dewan Purnaiah in 1801. During the Inam Settlement of 1871, the Inam ~~it~~ was recognised as valid under the Rules, and was confirmed as Dwadasya Service Inam. The Settlement Register also shows that it is Dwadasya Inam granted for the support of the Matt

2. In April 1901 a petition was received in this Office from one Ramaswamiachar of Holenarasipur, complaining

(1) that the Village granted for Puja and other services in the Sri Vaishnavi Matt at Holenarasipur, was being unauthorizedly enjoyed by one Jagannathachar Patel

of Madadvadi village in the
Gundlupet Taluk &
(ii) & that the sum of
compensation of Rs (2500)
from Government being a
portion of the village land
had been set apart at
the time of enfranchising the
Government village of
Chikkaballi, which is adjoining
adjoining the Inam village
and that this compensation
amount should be properly
be utilized towards the
benefit of the Mutt

3. This petition was forwarded
to the Dy Commissioner of the
Tumkur District, who has also
submitted the records of
the local enquiry & orders
of Government, with his
opinion that the alienation
village by the Inami

Vr M. S Narayana Rao - Dy/com:
With his Letter
no 380 dated 29th
November 1902
B

4

unauthorized.

4. The Vernacular Press Act,
submitted by the Govt Commr
Shree Hari in the year Rukmakshi
(1864-65) in the Summi
of the 2nd Session of the
Legislative Council (Suppression
of Seditious Literature) was the
earliest of the Statutes to curb
the freedom of the Indian Press
which was specially framed
with a view to the suppression
of Nationalist Journals.

4. In the year 1878,
the celebrated Statute known
as the Arms Act
was passed
[illegible]
which came into force on the 6th September 1901,
for the purpose of placing
the sale of gun-powder under the control of the Govt,
the Amendment in the year
Rukmakshi

(1) Shree Hari (2nd) in the Summi
Christmas Village in the Kailasanja-
- hill Indian

(2) Shree Hari in the Legislative Council,
Bangalore Indian Empire.

Rakshakshi. He also admits the fact of his having received a consideration of Rs 2500 as alleged in the Complaint petitioner of Ramasamireddiar. The Deed of Gift, which is dated.

D

[illegible] in the year [illegible], makes over the Village of Immanigandanahalli in the Koratagere Taluk, to Hanumi Krishnareddiar, in exchange for a piece of land worth Rs(200) in the Doddahullegondanahalli Village and Gollahalli Village and half a Vritti in the Chikkanahalli Village, Attikuppa Taluk. It also authorizes to enjoy the Village the grantee in hereditary succession.

E

5 The mortgage executed by

by the neighbouring villagers,
estimated the losses villagers
of Rs 10,000 and the Dis-
trict Bank (Government)
which financially interested
in villages, is also of the same
opinion.

7. The price of land
has also been taken
... excessive for the Hamirpur
... which is situated in the hilly
... and the estimated
... the district is not
... and the adjacent Rs - Ahmedpur
... of the adjacent in the
... which is also allegiance Indian,
... district is Rs Ahmedpur

over this land, which belonged to the Sri Ahobila Mutt, is reported to have subsequently come to the possession of one Ramachandrachar, who again presented it to one Malleri Raghavachar - and not the Mutt - This Raghavachar is reported to be now in possession and enjoyment thereof.

7. As regards the land situated in the Doddaballapur Taluk, the Amildar of that Taluk has reported that the whole of the Gollahalli village, except the minor Inamdar Hanuma, belongs to the Sri Ahobilamutt; that it is managed by one Venkatachar Madhavachar of Lakshmipur; and that

3

Hand the Instructions
Functions of the Victim alleged
to have been received from
the Mutt in exchange,
Could not be identified,
as the required information
is not known to Villagers.

6.8 The Assistant Comm^r
of the Lucknow District,
(Mrs Sheela Rai Sagar)
who conducted the local
enquiries and who was
whose jurisdiction the
Kr. Lucknow Lucknow Village
of Lucknow falls within
is attached, is,
of opinion that there is
no Correspondence in Volunteers
between the Lucknow Village
and the boys said to
have been received in
exchange, from the Mutt.

Under

9. Under any circumstances the alienation, which is unauthorized, fails under Rule No 266 dated 17th November 1877, and is liable to be cancelled under Rule ~~A~~ II clause B and Rule IV of the said notification, a printed copy of which is put up for ready reference —

Submitted

Rs
4/2/03

Deputy Secretary's Remarks

10. The alienation by gift of this valuable village by the former Swami of the Uttaradi Matt in 1864-65 was clearly unwarranted. The

village was a Sarva-
manyam inam
granted long ago
and confirmed by
Dewan Purnaiya in
1801, for the Service
of the Sri Rama Devaru
of the Matt, and at
the Inam Settlement
in 1871, it was con-
firmed in the name
of "the Uttaradi Matt"
"for support of the
Matt". The gift made
in 1864-65 does not
appear to have been
brought to the notice
of the Inam Depart-
ment as it is
stated in the Inam
Register that "there
were no subsequent
alienations" and
that "the Inam was

enjoyed by the High Priest for the time being" and that "the Inam should be confirmed rent free so long as the service was duly performed". This concealment of facts seems to have prevented the alienation from coming to light till now. The alienation having been unauthorizedly made subsequent to 1853, it comes under clause II B and Rule IV of the Government of India Notification No 266 dated 17th November 1877 and the Village is liable to be resumed unconditionally.

The alience admits having received from Government a sum of Rs 2500/- as compensation for some lands of the village which were submerged in the construction of an adjoining tank. The question is whether he should not be called upon to repay that amount

12. After resuming the village as suggested above, under the standing orders I beg to submit that the village be placed under the direct management of the Mudiyanse Department through the Dy. Muildar of Kornatagere so that

Leave out this point in the order as no orders have been passed about it — M 1/4/[illegible]

the annual income
may be kept in the
hands of Government
for the benefit of
the Matt as is done
with the monthly
Cash Jasorik of Rs 526/-
which has been under
attachment for some
years past I have to
suggest this because
the Matt gifted away
this valuable village
without any regards
to the object of the
grant and to the
well-being of the
institution, and
have shown no
inclination up to
date to recover it
and the keeping of
the income in the
hands of Government

14

will be a guarantee that it will be used for the real benefit of the Institution in future.

13. It appears from the records of this case that there is another Inam village named Gollahalli in the Doddaballapur Taluk belonging to the Uttaradi Mutt which seems to have gone into the hands of other parties. May enquiries be made re-garding the circumstances of the alienation of that village also?

Japre mis
ordered

Draft 31/3/03

Ys
27.III.03

1731

1339
0026 503

Subd to the Dewan
26/3/03

Draft 31/3/03 Draft subd

Note continued:—

The Dewan's orders as above

directing the resumption of Tammagondanahalli Sh. Village, were issued in Govt. Pro no $\frac{2093-5}{\text{Mun}\,7\,10-95}$ dy 23rd April 1903.

By (a Printed Copy of which is filed herein).

The enquiry ordered in the 12th para of this note was made regarding the circumstances of the alienation of the Gollahalli Village in the Doddaballapur Taluk, and on receipt the Dy Commr of the Bangalore District has forwarded the records connected therewith

From the Copy of the deed of Gift, ~~received~~ the inam village of Gollahalli it is observed that Sri Satya Kama Priya Veeratha Swamigalavaru, gifted away

x. with his letter No 422 dy 9th Nov. 1903

Nos D

the inam village of Gollahalli
to Venkatamadhwa chari
about 40 years ago (Rakthakshi year)
for conducting the marginally
noted Devaru & Services
at the Brindavana of his
(the swamis) predecessor
Sri Satya Parayana Swamigalu
in Santebennur, Kundapur
Taluk (Kota's territories). In
this Sift it is stated that
the village should be enjoyed
on the condition of performing
the stipulated services,
in hereditary succession.

During the inam settlement* Copy of Extract
in 1879, the village has
been confirmed to the Sri
Satya Sankalpa Swami Matt
to be held by Venkatamadhwachari
as

* ಅನ್ನಾಂತರ ಶಿಷ್ಯರಿಂದ ಕೆಲವು ಸಂಸ್ಥಾನಕ್ಕೆ ಕೊಡಲ್ಪಟ್ಟಿದೆ, ಸಂಸ್ಥಾನದ್ದು.

as a Devadaya Service
Grant.

Guruvoya char son
of Venkatanadhwa char
in his deposition states
that ever since the Sett-
was made & confirmed
by the Inam Deptt, all
the stipulated services are
being performed by him
under directions from his
aged father

The Dy Comm^r refers to
the foregoing facts in
his letter —

Submitted

Whether the services
are properly rendered at
the Brindavanam and
whether the income from

Devadaya

the Inam village is entirely utilized towards the fulfilment of the Institution, are the points that have to be ascertained in communication with the Dy Comrs of the Tumkur District

I/c - Obtain information as above.

I see from the Inam Register that the village was "conferred "free to the Matt and to be "held by Venkata Madhwa Char "as a Devadaya Service "grant."

24/11/03

Draft sabd

Secy
24/11/03

Note Continued

Jagannathachar, who was in possession of the Lakkenahalli village, has submitted a review petition

Dated 8th May 1904

G.

petition, protesting against the interference of Government. The petition together enclosures, as well as the records received from the Dy Comr, are herewith submitted for orders -

Submitted

RS
13/5/04

The grounds set forth by the petitioners are briefly the following:-

1. It is stated in the Govt order No. 2093-5 dated 23rd April 1903 (Mem F 10-95) that the gift is invalid, having construed that the village under dispute, which had been given to the petitioners' ancestors about 46 years ago by the Matt in exchange for some other lands, was gifted to them. But, in the Srimukha produced and which is also on the file, the Swamijalavaru has stated "that in "exchange for the above lands valued at "Rs 200 and made over to the Sri Vrindavana, "as well as in exchange for the half of (Yoru) "Vritti taken over by the Matt, leaving the "other half of Venkatamadhwachar "at Chittanballi, Attikuppa Taluk, the village

of Thammanayandanahalli in the Kortagere Sub Taluk
has been given to you" It is therefore against the nature
and circumstances of the case to have decided
that the exchange is a gift

2. It is stated in the Govt Pro: that as the Swamigalavaru
has alienated the village under dispute,
and as such alienation comes under
clause II B Rule 17 of the Govt of India Notification
№ 266 dated 17th November 1877, the village should
unconditionally be resumed. But, the
above Notification does not refer to cases
wherein some lands are taken in exchange
for another. The resumption is therefore unjustifiable.

3. It is stated that the Swamigalavaru
has no authority to alienate the Devadaya
Inam lands. But, it is decided by the
Chief Court of Mysore that the Swamigalavaru
has full power to alienate them. (Vide
Judgments in Appeal № 203 of 1891 and in
Appeal № 185 of 1893). It is therefore unjust
to decide that the matt has no power
to alienate the village under dispute,
which is no alienation at all but
only an exchange.

4. Regarding the charge brought against
him that the alienation was not brought

to the notice of the Inam Department it is stated that the part of the village received in exchange having been in his possession and enjoyment was brought to the notice of the Inam Commissioner* and on the document produced in support of it, stamp duty and penalty has been received from his ancestors under the orders from the Commissioner, and on the Sanad granted by the Swamy Jaware the Inam Commissioner has remarked "Examined: The fault, if there be any, should be imputed to the Inam department rather than to the petitioner.

* It was produced in the Gollahalli case in another File. [illegible]

* Colonel Cole

5. Regarding the inadequacy in value of the lands obtained by the Matt in exchange, it is stated that the lands are not at all properly valued by men unbiased and impartial, but only such value as has been set upon them by the petitioner's opponents has been accepted as correct. The value produce derived from the village and that from the lands obtained by the Matt in exchange therefor is undoubtedly the same.

6. That the Lower authorities have not at

adhered to the rules obtaining in the Province and it is unjust to have wrested from him the village by ordering its resumption.

7. It is against the Limitation Act to have resumed the land which had been in the possession & enjoyment of the petitioner and his ancestors continuously for over 50 years.

8. Diwan Purnaiya's Nirup of 1801 is quoted as an authority to show that the land is a Devadaya Inam, but in the Nirup itself there is not a word to show that the land (village) is a Devadaya Inam. It is unjust on the part of Govt to have decided that the village is a Devadaya Inam when it is altogether personal.

9. The petitioner had not been given an opportunity to establish his right and the case has been decided ex parte without the intimation thereof having been given to him.

The petitioner prays that, pending the disposal of his Review Petn, the Dy Comr may be requested to hold in abeyance the order of Govt directing the resumption of the village and its attachment.

Sabd to the decree

While sympathizing with the petitioner for the sudden loss of his village which he was so long enjoying, I am at the same time constrained to remark that his contentions are untenable. The village in question is devadaya and it is too late for the petitioner now to argue that it is not. (Narasimhan & Ors. Srinivasa) The judgment of the Civil Court refers to recite a different point and one not concern the question of the right of the swamy to alienate the property of the mutt. The judges have expressly stated that they have not considered this point as it was not the one for decision before them. The of the two vrittis said to have been taken in exchange, the one at Gollahalli cannot be identified and the other at Chikmahalli is now in the hands of strangers. The Amildar estimates the value of this latter Vritti at Rs 600 or Rs 700, while that of the former is stated to be Rs 200 in the deed of gift itself. On the other hand the value of the Inam village is stated to be Rs 10,000. The deed of gift on which

2½

~~the petitioner~~ Stamp duty and penalty assessed to have been levied refers to Gollahalli village and the donee is Venkatramadhuachar. In it there is a recital regarding Doddamagondanhalli having been given to Rami Venkatachar, the father of the petitioner. This was proposed in 1879, while the inam settlement took place in 1871. On the whole I am of opinion that ~~there~~ no grounds have been adduced to restore the village to the petitioner. It is a clear case of unauthorized alienation and as such the village is liable to be summarily resumed under the rules of 1877. I gave a hearing to the petitioner on more than one occasion, but he was not able to adduce any fresh grounds for restoring a village which was gifted away by the Inam Commissioner unconditionally.

18403/17.6.04.

Ans.
17 6 04

(19-9)
Until the next taken is
disposed - Put up Worked
papers with Petn to be
heard - Fix a day when
appear the Pltrs. Advt
20.VI.04

Issued
23/6/04

Rural Secretary r. [illegible] etc. [illegible].

The Petitioner Jayawara [illegible] more-
-ore. I have had a full discussion on the subject of
his petition. He re-iterates the [illegible]
[illegible] to 22 of this Note. All of these have been
dealt with by Mr. M. Shanmugam Q.C. [illegible] 23 and 24.

2. The chief [illegible] is that of [illegible]
of Tellipalai Pradesiya Sabha, was given to petitioner's
by the Gotabaya Gift, not as a gift but as an exchange
for other lands belonging to him. In such a case, the
petitioner argues, that the Government of [illegible]
cation of 17th November 1877 does not apply. In the
Sriyukta of the Gotabaya Swarnakara Rakshaka (Lands
63), the transfer of the village is denominated a
"gift", while reference is also made therein to the
circumstance that it is given in exchange for certain
other lands. In valuing the lands the local authorities
have reported that the village alienated by the Gift
is more than 10 times the value of the two lands taken
in exchange. The petitioner however challenges the
valuation as incorrect.

3. In para II of the Notification of 1977 it is

stated as follows:-

"Whenever it is found that such lands (i.e
"lands granted to religious and charitable insti-
"tutions) are diverted from the object for which
"they were originally granted, by means of sale, gift, mort-
"gage or otherwise, the following rules should be
"observed." &c., &c., &c., &c.

As "exchange" is not specifically named in the above, it is possible that it is included in the word "otherwise" quoted above. Primarily, the Ewanrelu of the Gift have no authority to transfer any property or any land or will such have not been endowed for the help of the gift, but in this case there is the further and strong fact that the transfer was apparently made for an inadequate consideration. Under these circumstances, it has to be considered whether the transaction does not come within the terms of the Notifi-
cation of 1917.

As I have said in addition to bringing this allegation to the notice of the Inam Department at the time of the Inam Settlement in 1871, the Petitioner James Chari explained to me verbally that he was very young at the time and that his father was absent from the country.

5. The other points urged by the petitioner have been dealt with in Mr. Shama Rao's Note.

A petition addressed by one Ramaswami Achar to H.H. the Maharaja has been received in this Office for disposal, with the Private Secretary's memorandum No. 3945, dated 21st June 1904. In it, the Memorialist who appears to be an enemy of the Petitioner Jayarama Char, says that the resumption of the village of Timmarondanahalli already ordered by Government is correct, and that the present application for review should not be favorably considered. The petition is written in a spirit of impertinence and may, I submit, be simply filed.

The Dewan having directed that the Petitioner Jayarama Char may be given an opportunity to be heard, the papers are herewith submitted. As the Petitioner is now in Bangalore, he may be called upon to appear in person on any day that may be convenient to the Dewan.

K Chamkasama Rao
15/8/04

Laid to the Dewan
~~through the~~
1018
16.VIII.04.

24

28

are under arrangement
and much done
about this. It is however
desirable that the several
reaches should be properly conducted
the Municipal Secretary may
enquire & what is necessary
be done in this direction
& take the necessary action.

27.XII.04

Rec'd 28 12 04

Subject

1907.

To.

The Deputy Commissioner for disposal.

15-4-01

Ollt. &

put up.

SRM 16/4/01.

No 2049

Name of Petitioner Ramaswamy adh.

Village
Taluk } Hole-Narsipur

District Hassan

Date of Arzi 9-4-01

Date of Receipt 12-4-01

Date of Disposal

No of Enclosure Nil.

ABSTRACT

States That- Immuni-gana-halli in Koratagere Sub-Dt., was given as Inam to Uttarade Mutt by the Maharaja of Mysore; That instead of the village being used for the worship &c of the Sri Ramachandra Swami of the said Mutt, it is being enjoyed by one Jayaramachar, Patel of Gollahalli, Goribidnur Dt; That- Jaya Ramachar does not possess

shew That the village
was given to him or to
his ancestors as inam, nor
it so mentioned in the Inam
register; That Jaya Rama Char
sells the trees and lands of
the said inam village and
utilises the proceeds for his
own use; That at the resto-
ration of the Govt: village
tank of Chickavalli, some
portion of the boundary of the
inam village was submerged
for which a compensation
of Rs 2500 was paid to him
which ought to have been
paid to the Inamdl; That
Jaya Rama Char cultivates
some of the submerged por-
tion and pays to every Hz Amil-
dar that comes there Rs100 per
year to prevent them from
taking any notice of the
above and many other such
things in the village; That
The Police had once charged
him with illicit cultivation

Pet
11-00

Recd
19-4-1901

Petn No 2041 of 7

of "Bhangi", which case he (Gayaramachar) got hushed up by bribing the Hz. Amildar.

Prays that the matter may be ordered to be enquired into by the Hz. Commr in person, early, in which case there will be a savings of Rs 3000 to Govt:

GM
15/4/01

shew that the village

Pet^{n} Deccan
1877 of 1904

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ letter
Registered No 2049 dated 9-4-04
received at the Dewan's Office from Rama-
-swamy Achar of Hole-Narsipr
praying for enquiry regarding
the enjoyment by one Jayaram
char Patil, Gollahalli, Gorubdnur &
of Dummuganahalli Koralagere Sub
which was given as inam to
the Uttarade Mutt

is forwarded, ~~together with its~~
~~enclosure,~~ to the Deputy Commissioner
of The Tumkur Dist for
for disposal.

By order,

Off- [illegible],
for Secretary.

BANGALORE,
19 4 1904
8211 16-4-04

The Inam Supt is requested to send a copy of the Inam Regr of enquiry in the case of Sarvamanyam village of Jungonahalli Kortagere, Sub-taluk.

4/12/02

Dft docketing

3/12

3-[illegible]-1902 Pet 366 1902/03

From The Deputy Commissioner Chitaldrug

To. The Secretary to Govt Revenue Department

Dated 27th November 1902

Despatched

Received

General No. 280
No.

Enclosure No. 1 file

Official memo no. Pet dd 1577
19th April 1901

Relating to the petition of Ramaswamy Achar of Hole Narsipur, complaining of the alienation of the Sarvamanyam village of Jungonahalli (Devadaya) Kortagere Sub Taluk

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Pet
3/12

Dep. Sec'y

3/12

Submitted
3/12

No 380 File 304

Deputy Commissioner
Tumkur District.

Tumkur 29th November 1902

From

M S Narayana Rao Esqr
Deputy Commissioner.
Tumkur District

To H V Nanjundayya Esqr Madras C S
Secretary to the Government of Mysore,
General and Revenue Departments
Bangalore

Sir,

With reference to your Official memorandum no Pet 1577 dated 19th April 1901. forwarding for disposal, the petition received from Ramaswami Achar of Holenarsipur Complaining of the alienation of the Sarvamanyam village of Tungenhalli (Devadaya Inam) in the Kasaba Sub Taluk, I have the honor to submit herewith, for orders of Government the entire records of the Case and to state that the village appears to have been made a gift of to one Havin Krishnachar (father of the present holder Jayaramachar) by the then Swamiji of the Uttaraji matt in the year Rakta Rishi (1864-1865) in exchange for certain lands owned by Hanen Krishnachar in the Taluks of Krishnarajpet (Mysore District) and Doddaballapur (Bangalore District). The alienation by the Swamiji is however, in my opinion an unauthorized act.

2. A copy of the deed of gift and an extract from the Quit rent register, together with the petition of Ramaswami Achar, are enclosed with the records.

I have the honor to be
Sir
Your most obedient servant

M Narayana Rao
for Deputy Commissioner

Encl

1902

From

THE SECY. TO THE GOVT. OF MYSORE
GEN. & REV DEPTS.

To

The Supdt of Inam Settlement
in Mysore

Dated 8.5

Despatched 9 Dec/02

Received

General No. Pet
No. 1019 1

Enclosure No.

Has the honor to
request that he will be
so good as to send a
Copy of the Inam decide
of Enquiry in the case of
Sarvamangam village
of Tungonhalli, Kortagere
Sub. Tk.

AS Dft

B C

For Secretary

JMB

6955 1902-1903

FROM Pet 44
THE SUPERINTENDENT OF
INAM SETTLEMENTS IN MYSORE,
BANGALORE.

To
THE SECY TO THE GOVT. OF MYSORE,
GEN & REV. DEPTS.

Dated 19th
Despatched Do. } December 1902.
Received
No. 46 of 1902—03.

Enclosure No. 1.

His docket No. Petn 1019 dated 8th Instant.

As requested in the above, has the honor to forward herewith, a copy of Inam settlement + Register, relating to the Inam of Cottradi Mutt of Toomma-gondanahally Survanamya village, of Koratigeri Taluk.

Supt of Inam Settt

Petn
20/12/02
Reg, Inam Supt

22-12-02

MGCPB—9-4-01—250.

2nd Secy

on the case the Dy Com Tumkur Dt reports that the Tutk Priest alienated the Inam land of Tungonkatti in 1864 & the father of its present holder and that the alienation is unauthorized. The case falls under Govt No 266 dt 17/11/77 (P 214, Rev, Inam) and such cases appear to be dealt with in the Mysore Dept. This may therefore be transf to that Dept.

23/12/02

+ Sheet No 283.

Transfer
26/12/02

Register sheet No 238

Village . Toommagondanahally S.H.

Taluk — Kortigere

Copy of the Inam Register of Survamanya Koorum

Class, extent, and value of Inam.

Number of each or entire holding under one grant in this village	General class to which the Inam belongs.	Survey number & name of field or plot composing the grant. Dry, wet, or Garden.	Extent: Local measure Even where the Local measure in use is in acres, Guntas, and annas, it is to be entered in this Column.	Extent: Measure in acres Cents Thus for instance 1.01	old assessment: Where no survey has been made after the assessment fixed by Govt. the Class fixed by the Report to the Inamdar of the average assessment
1	2	3	4	5	6
5	Devadaya	Asper Pymaishy 1805			Beriz as per account
(Title Deed No 1059)		Dry village site	8303 Sqyrds	= 1.72	121 Pagodas
		Corumboke	2,43,712 "	= 50.35	4½ Fanams
		Cultivated	6,83,801 "	= 141.28	jarry Do
		Cultivable	2.68,935 "	= 55.57	8 Pagodas
				248.92	6 11/16 Fanams
+ walls & halls.		× Wet Cultivated	95,763 "	= 19.78	
		× Garden	8695 "	= 1.80	
		Grand Total		270.50	
		Jarry Inams			
		Dry	2.25,931	= 46.68	
		+ Wet	40770	= 8.42	
				55.10	
				325.60	
				51.65	Deduct of the tank for which an equivalent was granted.
extent as per jari accounts, and Goshwara					
	Dry	4 Cawds			
	Poramboke	4 Coods		273.95	
	Cultivated	4 Seers		= 58.87	
		9 Cawds			garden
		14 Coods			17 Coods
		3/8 Seers		= 128.52	3/8 seers
				184.39	=1.80
	Wet Cultivated	15 Cawds 16 Coods 7½ seers		32.54	218.73

agondanahally village, Kortigere Taluk.

Description, tenure, and document in support of the Inam

Survey & assessment	Description of Inam. If for service it is to be stated whether the service is continued. If for tanks belonging to whom this has been transferred. If for religious purposes whether free of cost or charge to Govt. i.e. gift, &c. Amount of Cattle to be entered	By whom granted and in what year	Written instruments in support of the claim, original & annexed, all miscellaneous documents and other proofs of long possession. In this Col. it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost & the general specification of terms of all documents produced should be given
7	8	9	10	11
Survey & assessment should be entered in Column 7.	For despatch of the Cowle and Sunnud to the Inamdar in good order	Free Local funds 3-8-8	—	One hero-up from Dewan Poornaiah dated 1801. Confirming the village rent-free, as before.
353-4-11 acres 25-3-6 378-8-5				

Name of original grantee	Name entered in the Register prepared by Poornaiah up to 1810.	Name entered in the accounts subsequent to 1810.
12	13	14
— —	Jarry accounts 1802 not entered.	1832 Satyadharmaswamy Mutt. 1 Asli village Beriz 121 Pagodas 4 7/2 Fanams 1855 Same Beejawary as in column 3, 4 & 5 Total beriz 130 Pagodas 1 3/16 fanams. Jamabandi Goshwara 1861 Same Beriz – 353-4-11 Kyfeyat-Patties 1825 & 1834 Satyadhurma Mutt Beriz 130 Pagodas 1 3/16 Fanams Including Jarry Inams 8 Pagodas 6 1/16 Fanams Entered in Return Class No 2.

Name and relationship of original grantee and of subsequent and present Holders. Length of possession.

Particulars regarding present owner. If the Inam has been subdivided the name &c. of each sharer should be entered in the columns

Residence, name, and age, &c.	Relation to original grantee or subsequent Registered holders.	Surviving heirs of the present incumbent.	If unconnected with the original holders, possession how obtained and in what year.
15	16	17	
Nasipura Satyadharma swami Mutt. or Cotrasi Mutt The Inam is enjoyed by the H. Priest for the time being.	"	—	—

A. For indipendent Inams, see reverse, & Revised Register

Two more indipendent Inams entered in the jamy accounts, are not in existence, and no claim is put forward on their account.

B No subsequent alienations.

Abstract of the orders already issued by the Chief Commissioner or the Commissioner of the division on lapses regarding validity or excess of the Inam. Assistants opinion & recommendation.

19

This is a valid Inam under the Rules, and may be confirmed, so long as services are performed, rent free.

The items now enjoyed by the Inamdar are shown elsewhere.

In case 4 on the reverse; the jodi is due to the Sirkar, but is not collected by it, but the Inamdar people keep it to its credit.

The origine and reasons of this arrangement are unknown. A portion of the lands of this village were submerged by the construction of the Sirkar tank of Dharmasagar a substitute was granted by the former authorities in the village of Kodlahully as per Case 7 of that Register. It is stated that if any crops are cultivated in the bed submerged, for which the above mentioned substitute was granted, full assessment is levied, & credited to the 2 villages of Teetha & Kodlahally. There is evidence of this fact only for single year of 1857, when 1 Rs was thus realized of which 8 annas, was credited to each of the said villages. The same did not

occur again since.

The amount of the Quit Rent on cases 1 to 3, or 12 annas, may be charged to the Inutt, minus 4 annas, under Proceedings 4 dated 1869.

[illegible]
Assistant.

19-10-70

Boundaries

East = Survey Bounds of Venkatapura village
West = do of Gangamarahally & Timmimahally
South = do of Goravanahally
North = do of Chickahally, and Dhurmasagara Tank.

Note. No boundary disputes.

Average Revenue for 10 years, as per Inamdars patty.

Land	Inchaterfa	Plough tax	Total
175	0-4-10	0-11-2	176

Statistics

17 houses 15 Cultivations 3 Nullahs from river or stream. 3 wells
population 75.

Review by the personal Assistant and Confirmation by the Inam Commissr.

20.

To be confirmed and continued free of tax. The land of this village submerged by the water of the adjoining tank, and for which Compensation was granted, should be separately demarcated and deducted from the extent of the Inam village. The Assistant may be requested to mention the extent of the submerged land. The Sayer and akbary are reserved for the State, and the right of the Inamdar to forests is subject to the reservation contained in the Chief Commissioner's forest notification of June 1869.

[Signed] B. Gopalaiah
Spl Assistant.

6-11-70

Confirmed free of tax.

[Signed] T. Clark
Inam Commr

December 21-70.

With reference to the above requisitions, Mr. R. reports that the extent of the

Column 20 continued

submerged land was not mentioned in the Akshaya Pymaish of 1805/6 and that we should presume it to be of the same extent as of the equivalent granted for it by way of compensation on the village of Koddikally.

This may or may not be the case, the safest course for us would be to deduct from this Inam village the extent of the present water spread of the Government tank, if it has not been enlarged since the date of the last compensation.

The Amildar may be requested to furnish the foregoing information and to measure the land submerged under the Government tank of Dharmasagar to enable us to demarcate the boundaries correctly.

3-2-71

[sd] B. Gopaliah
Spl. Assistant

Vide Amildars orge No 3/74 of the 12th April 1871. the extent of 51.65 acres may be deducted from the area of this village as the water spread of the adjoining tank for which compensation was paid to the Inamdars

as

Toonnagondanahally Survamanya

Column 20 Continued

as reported by Mr. Narsimmyengar.

[Insd] B. Gopaliah
Spl. Asstt

18-4-71

Approved deduct accordigly.

[Signed] Robt. Cole
Supt of Inam settlt

22-4-71

Copy

Camp

Bangalore
Dated 19th December
1902

Supt of Inam settlt

No. 2093-5-
Mor: F. 10-95 Enq. Regd -
Dy 23. 4. 03.

Print-

Petition Regd No 2049 dated 9th April 1901 from Ramaswamiah Chairman of Hole Narasipur complaining against the alienation of the Inam village of Tummagondanhalli endowed to the Sri Uttarad Mattam Holenarasipur

Letter No 380 dated 29th Novr 1902 from the Dy Commr, Tumkur District, reporting on the above

And, Docket No 46 dated 4th December 1902 from the Superintendent of

Inam Settlement in the
Mysore Peramdi of
Copy of the Inam Settlement
Register relating to the grant of
the Inam of ~~Joonmagondanahalli~~
to the ~~Sri Vaishnavas~~ North.

Order thereon :—

From the ~~papers~~ records noted above
~~received with the above,~~
it is observed that the
village of Joonmagondanahalli
in the Kortagere Sub Taluk is
~~was~~ a Sarvamanyam Inam
Granted long ago and
Confirmed by Dewan Purnaiya
in 1807, for the Service
of Sri Rama Devaru

of

of the Sri Uttara Mutt at Hole Narasipura. ± At ~~and at~~ the Inam Settlement in 1871 it was confirmed in the name of "the Uttaradi Matt for support of the Matt". In the year Raktakshi (1864-65) the then Swami of the Matt (Satya Kama Theertha Sreepadangalavaru) made a gift of the village to one Kaveri Krishnachar, Jayarama char, son of the alienee, has produced a copy of the Deed of Gift.

in exchange for a piece of land in the Gollahalli village, Doddaballapura Taluk and half a Vrittee in the Chikmahalli village, Krishnarajapet Taluk.)

executed by the Swamis
authorizing the Grantee
to enjoy the village
in hereditary succession.
This gift made in
1864-65 does not appear
to have been brought
to the notice of the Inam
Department as it is
stated in the Inam Register
that "there were no
subsequent alienations",
and that "the Inam
was enjoyed by the High
Priest for the time being"
and that "the Inam
Should

should be confirmed rent-free, so long as the service was duly performed".

This concealment of facts seems to have prevented the alienation from coming to light till now.

2. The Govt. observe that the alienation by gift of this valuable Devadaya Inam village by a previous Swami of the Sri Uttaradi Matt was clearly unwarranted and, having been made unauthorized by subsequent

to 1853, it comes under
Clause II B and Rule IV
of the Govt of India Notification
No 266 dated 17th
November 1877. The
village should accordingly
be resumed unconditionally, —
~~and placed under the~~
direct management
of the Mysore department
through the Dy Amildar
of Kortagere, in view
to the annual income
thereof being kept in
the hands of Govt for
the, real benefit of the Matt
~~in future the Dy~~
~~Commr~~

(3). As the matt
gifted away this valuable
village without any
regard to the object of
the grant and to the
well-being of the Institu
and have shown no
inclination up to date
to resume it, the Govt
further direct that
after resuming the village
it should be placed
under the
Care is done with the monthly
Cash Credit of Rs 526 which
has been under attachment
for some years past.

The Dy Commr of the Tumkur Dt is requested to take immediate steps as above ~~in consultation with the Superintendent of Inam Settlements~~ s/c and report the ~~final~~ action taken by Govt

4. From the records of this case it also appears that another inam village named Gollahalli in the Dod Ballapur Taluk belonging to the Sri Uttarad Matt has gone into the hands of other parties. The Dy Commr of the Bangalore District is requested to institute enquiries

8

regarding the circumstances
of the alienation of
this village and report
the matter for orders
of Govt. as early as
possible.

22/4/43

Dewan's order

Dy Secretary
Mysore Deptt

Ss
1/4/43

1/4/43

To
1 The Dy Comm., Tumkur Dt. ref. records.
" Superintt of Inam Setts in Mysore.
" Dy Comm., Bangalore Dt. for report called for
in para 3 of the Govt. order.

Proceedings of the Government of His Highness the Maharaja of Mysore, Muzrai, dated 23rd April 1903.

READ—

(1) Petition Registered No. 2049, dated 9th April 1901, from Ramaswamy [illegible] Hole Narsipur; complaining against the alienation of the Inam village of Tammagondanahalli endowed to the Sri Uttaradi Matt at Hole-Narsipur.

(2) Letter No. 380, dated 27th November 1902, from the Deputy Commissioner, Tumkur District, reporting on the above.

AND—

(3) Docket No. 46, dated 19th December 1902, from the Superintendent of Inam Settlements in Mysore, forwarding a copy of the Inam Settlement Register relating to the grant of the Inam to the Matt.

No. 2093-5—MUZ. F. 10-1895, DATED CAMP MYSORE, 23RD APRIL 1903. Section 4(a) & 14(2)

ORDER THEREON.—From the records read above it is observed that the village of Tammagondanahalli in the Koratagere Sub-Taluk, is a Sarvamanyam Inam, granted long ago and confirmed by Dewan Purnaiya in 1801, for the service of Sri Ranna-devaru of the Sri Uttaradi Matt at Hole-Narsipur. At the Inam Settlement in 1871, it was confirmed in the name of the "Uttaradi Matt for support of the Matt." In the year Raktakshi (1864-65) the then Swami of the Matt (Satyakama Theerth Sripadangalavaru) made a gift of the village to one Haveri Krishnachar, in exchange for a piece of land in the Gollahalli village, Dodballapur Taluk, and half a vritti in the Chitnahalli village, Krishnarajpete Taluk. Jayaramachar, son of the alienee, has produced a copy of the deed of gift executed by the Swami, authorizing the grantee to enjoy the village in hereditary succession. This gift made in 1864-65 does not appear to have been brought to the notice of the Inam Department as it is stated in the Inam Register that "there were no subsequent alienations" that "the Inam was enjoyed by the High Priest for the time being" and that "the Inam should be confirmed rent free, so long as the service was duly performed." This concealment of facts seems to have prevented the alienation from coming to light till now. The Deputy Commissioner Mr. M. S. Narayana Rao states it as his opinion that the alienation of the Inam village by the Swamigalu was unauthorized, that the estimated value thereof is about Rs. 10,000 while the values of the lands accepted by the Swamigalu in exchange in Gollahalli and Chitnahalli villages are estimated at about Rs. 200 and 6 or 7 hundred respectively; and that therefore there is no comparison between the Inam village and the lands said to have been received in exchange therefor for the Matt.

2. The Government observe that the alienation by gift of this valuable Devadaya Inam village by a previous Swamigalu of the Sri Uttaradi Matt was clearly unwarranted and, having been made unauthorizedly subsequent to 1853, it comes under Clause II B and Rule IV of the Government of India Notification No. 266, dated 17th November 1877. The village should accordingly be resumed unconditionlly.

3. As the Matt gifted away this valuable village without any regard to the object of the grant and to the well-being of the institution, and have shown no inclination up to date to recover it, the Government further direct that, after resuming the village it should be placed under the direct management of the Muzrai Department through the Deputy Amildar of Koratagere, in view to the annual income thereof being kept in the hands of Government for the real benefit of the Matt, as is done with the monthly cash Tasdik of Rs. 526 which has been under attachment for some years past. The Deputy Commissioner of the Tumkur District is requested to take immediate steps as above and report the action taken to Government.

4. From the records of this case it also appears that another Inam village named Gollahalli in the Dodballapur Taluk, belonging to the Sri Uttaradi Matt, has gone into the hands of other parties. The Deputy Commissioner of the Bangalore District is requested to institute enquiries regarding the circumstances of the alienation of this village and report the matter for orders of Government as early as possible.

Draft

Deputy Secretary, Muzrai Department.

To—The Deputy Commissioner, Tumkur District, returning records.
The Superintendent of Inam Settlements in Mysore.
The Deputy Commissioner, Bangalore District, for report called for in para 4 of the Government Order.

Encl.—C. R.

1902-03

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 23rd April 1903

No. 2093-5 / Muz. F. 10-95

Directing that the Inam village of Tammagondanahalli in the Koratagere Sub-Taluk, endowed to the Sri Uttaradi Matt at Hole-Narsipur be resumed and taken over under the direct management of Government in the Muzrai Department.

SBP—9-5-03—200

MUZRAI SECRETARIAT

19 —19

From

L. ANANTASAMI RAO, ESQ., B.A.,
DEPUTY SECRETARY TO THE
GOVERNMENT OF MYSORE,
MUZRAI DEPARTMENT.

To

The Deputy Commr
Tumkur Dt

Dated 30 Nov 1903.

Despatched

Received

General No. 1534
Muzrai F. No. 10-95

Enclosure No.

Govt Pro: No 2093-5
Muzrai 70-95
& 23rd April 1903.

In inviting the Dy
Commr's reference to
the above, has the honor
to request to be informed
whether under the orders
conveyed therein, the village
of Tammagondanahalli
has been taken [illegible]

MGCPB—1,000—21-7-03.

of Govt., and if so, whether
any income has been
derived therefrom and
how the same has been
credited. An early report
is requested

By order

[illegible]
[illegible]
[illegible]

[illegible]

1903-04

1841.

From The Asst to Comm. of Jaffna

To The Govt. Secretary, Ceylon, thro' the Government Agent, Northern Province

Dated 15th February 1904

Despatched 17th February 1904

Received

General No. 392

No.

Enclosure No. 1 file

Received 18/2/04 Ks

I beg to state that the Iranamadu village of Thunnalai in the Kankesanturai Sub District has been taken under Govt. management, that nothing has been realized from the village as the village accounts are not forthcoming — that fresh accounts are being prepared

Deputy Commissioners office,
Tumkur District,
Tumkur 15th February 1904.

From

H. S. Sullivan Esqr. C.S.,
Deputy Commissioner,
Tumkur District.

To

A. Chinnaswamy Iyer, B.A.,
Deputy Secretary to the Government of
His Highness the Maha Raja of Mysore,
Mysore Department.

Sir,

In reply to your docket No 1834 dated 30th November 1903 requiring whether the Inam village of Shanmangenahalli in the Koratagere Sub Taluk has been taken under Government management pursuance of Government Proceedings, and if so whether any revenue has been realized, &c, I have the honor to state that it is reported by the Deputy Amildar that the village has been taken under Government management and that no revenue has yet been realized from the village as the village accounts are reported to be not forthcoming. The Deputy Amildar however brings to notice that one Jayaramachar who

who was in possession of the premises
from the Quarantine of this city
that no landed of sick
withholding accounts thereof
were issued both for the vessel
and that fresh accounts were kept
with the help of the village officials which
he promises to follow upon the
object for a days

2. The Deputy Auditor who
served with the Sanitary Commissioners
yards to 301 Lot 10 Ward 9 Block 6
with submitted for reference.

I have the honor to
Sir
Your most obedient
Wm Walker Ward Block
Deputy Commissioner
Sanitary Bureau

No. 2932. Enc/2
Mun. F 104-95

Inspector

To

The Dy Commr,

Tumkur District.

Dated Cutch Devangere

9th March 1904.

Sir, Letter No 2942 dated

14th February 1904 requesting

that the Income village

of Immangundanahalli

belonging to the Devasthana-

-mudi amatt in the Kadaipa

Sub-

Taluk was, as directed,

taken under the manage-

-ment, but that no

revenue has yet been

realized from the village,

as the village accounts

are not forthcoming.

Have the honour to inform

from the Dy Commr's

- Report -

the Kurta of Jayaramachari,
who was in possession of
the Inam village, is purposely
withholding the accounts though
notices were issued to him
for their production —
any action has been taken under
Section 24 of the aforesaid
Land Revenue Code. Steps
should be taken to the
extent indicated in such circumstances

Enquiries returned

B—o

Rec 21-3-04

Opposite

Rec
21/3/04
(Thanjavur)

Case for the Appellant
Supreme Court of
Judicature. Ltd. 1954
30. 3

237

/

ద్వి జ ర తో వు జ రాం యి ర వి ం ద్ర ణీ ప్రా ం డ్లో బ ర వ ర

జ డ్జ్ మెం ట్ —

రె వు ం కో ం ర్ డి స్ట్రి క్ట్ కో ం ర ట ని ర్ది ష్ట భీ కా ల్లు కు రు ం గా వ న డ్ల్లో
ప్లె నా వ్ ద్వా రా జ ం య రా ం వ్ ూ ం ఛా ం ర్ల ర అ జ్ఞ ా —

(1) ప్రీ ం ర్ల్లో లు క్ష రా ం జు మ ర ద స్థా ం ి ం గ ళ్ల వ ర లు బ ం ద ు శ్రీ
ర ణా ం త ర ర ి ం ద న వ ్ల బ న ే ద ో ం ద్ధ బ ళ్ళ్ వ్ర ర ద ర ో ల్లు కు గ ో ం ల్లా డ
ళ్ళ్ గ్రా మ ద ల్లి ఇ ర ు వ ్ల ం ర ూ ం ా ం యి లు ర్ప త్తి లు ళ్ళ్ వ్య క్తి బ ర
ద ు మ ం త్రీ ం చ ి న ర డ్ల్లో బ ం గ ా ం ర ూ ం ా ం యి లు ర్ప త్తి ం ద ు ళ్ళ్ వ్య
క్తి గ ఈ య ర డు వ్య క్తి న ళ్ళ్ వ ు ర ర్తీ ల ే గ ద ు కో ం డ ు న చ ు గ ే
మే ల్లం డ ర వు మ ం న ం న డ ళ్ళ్ స్వా ం వ ు వ న్న ర ో ం ల్లి రు. ద ు వ్వా
రు శ్ర ం వ ర లు చ ే న ళ్ళ్ ం ద లూ ం అ ను భ వి ం చ ు త్తా న్నా ళ్ళ్ ే. ఈ న డ ం
ద ు వ్రీ ం డ ర అ జ్ఞ ా మే ల్ల జ ి ల్లా ం ని వ ు జ ం ా యి స్థా ధీ న
ద ల్లి. ఇ ద ర ి స్వా ం ు ఇ ర బ ళ్ళ్ ే ర ద ు అ ర్థ ం ర్ అ ి ళ్ళ్ ే. ఈ ర ీ ర ీ ఉ ద
ర ీ న ళ్ళ్ ి బ ర వ ి ి ణా ం వ ు ం ద ే ను.

(2) ఇ ర ి ద్ధా న ద భ ర్తీ ం వ్రీ కా ర ర ా ల్లు కో న వ ర ు అ న్నా
ద ర ర ా ల్లా గ ళ న్న ర ే గ ే ద ు కో ం డ ు వ ు ని వ ర ా ర న్నా ర్లూ ర్లూ ం ా
వ న గ ళ్ళ్ వ ు శే ర్ల్లా జ వి ు ళ్ళ్ న ు గ ళ్ళ్ ూ ం ద ం ా జు వ ూ ల ర ీ ి ల్లే వ ూ ం డ ే ఒ
ు వి ర్ర ీ ు ు ి ద్ధా ర ీ ఇ ద ి ా ం ద ు న ి ు ో ా ం ా ం ు ర ం ా ం ు ు ర ం ా ం యి లు ర్ప ా న
గ ల ం ా ర ర ా ్ల ా ం ు ర ్ల ీ.

(3) ప్రీ ళ్ళ్ గ ళ వ ర ి ు ే ద ా న ా ం ర ం ద ర ళ్ళ్ ి ం ద ి ర ా ర ి ల్లా ళ్ళ్ ో ం ర ల ా ర ్ల ా ం ు
ర ూ ం ద ు న డ ి ం ు బ ా ర ద ర ్ల ర ల ా ్ల ా , న ్వ ం ద వ ు ర ్త ీ శ ే ి ద ల ం ం
ర ూ ం ా ం యి లు ర్ప త్తి ఆ గ ు వ వ్య క్తి గ ళ్ళ్ ో ం ే ి వ ్ల ర్ప ు ో ా ర ీ బ ద
ళ్ళ్ ో ల్ల ప ం ం — ం ం ం ర ూ ం ా ం యి ల ళ్ళ్ ో ర ల ా ్ల ా వ ు ర ి ం ద న ్వ ో
బ ద ల ా ం ి ర ో ల్లా ం ం — ్ల ం ర ూ ం ా ం యి లు ర్ప ే న్న వా ం ు వ ళ్ళ్
న డ ళ్ళ్ స్వా ం వ ు ల్లో ం ం ం ం ర ూ ం ా ం యి ల్లు ర్ప ీ ం యు బా ళ్ళ్

బదులంశలూ డిస్ట్రిక్ట్ కోడ్ కమీషనర్ కాండ్లు బరవరు అభిప్రా
యమ్మంశమూ ఇదరమ్మీ లగ్రావు చుజరాయి అంటు రఱడెళ్ళా
రేంటుల్లి ఇరబ్బీ రేంటలూ నడదిభీ...

(4) స్త్రీగళవరు కోర్ట్కి అనోక దాన శాదినగళన్ను
రీం ట్మీయుక్కారే. అవుగళు రడలవరు మగూం నడెంటు హోఅమ్మీ
స్త్రీమిగళగే ధానద అధికార లిల్లి మాంత్రలూ అధీనరుంటే ఐంకొం
ర్మ్మ మూలకవిపాదన డేదుకొండబడ్డదంత చిత్రకూటాల్ట్కి
దలాంతియు ఆగిదీ.

(5) దూం ట్టిబళ్ళా క్వీరదకొల్లుతే గొంజిరుళ్ళిగ్రామవన్నే స్త్రీ
గళంద తీండలు మ్మదాన విత్రీవన్న ఇనామకే కమిగ్రీ ఇన్నెనాంధ్ర
బరవరు మంజూంతే మూడిధారీ. నిదరంద దాన శాసినదల్లా స్త్రీ చే
వాని ఈతు రిసావనడళ్ళిగ్రామవన్న డాంగ్రీ. రీ ఇల్లా జార్జ్ మంధా
గతీం ట్మీరీయుందు నమూం దిధీ. ఆ దాన విత్రీస్థలిం నిన్నే ధానద
ల్లి ఇధీ. తోండబడ్డదు.

(6) సాంప్రదాయజనచుళ్ళకు రుంచుగళ్లిరువుదన్ను తీతీంతూ
కోర్టద వ్యత్యాగళు రీంసి బదలాని బందరూగ్రామవున్న
ర్తారదవరు జులంసంధరీసీకొండరీతిరేరాంజవనూ
వారంగుళ్ళి దీదీర్ఘకాంతరవాలాగబీర్ధాద్యరుయిస్తే చేడ్డా
గే చుదస్థాలింయు కొవర్గంతూంగిదినబీర్కు.

నర్భ్ర స్త్రీభూగళూ ద్యుంద రికొల్లి వుర్తనన్నకొంగదల్లీ
గళన్నకరుంవతినికొండల్లీరు లాంతో ఆర్థంతో ఆగబీరీ. ఈ
ఉన్నీ వాదల్లి బదళాలుర్తినుఅనువదల్లా దీగ్రామసులలో
అగిర్తీరరుంయూవశ్యనన్నీ వీడుర్తారీ ఆ ధ్రువాదవయు
మూడిమిలాంతో ఆగబీరీరరదు బీర్ధుర్తీనీ.

రాంబు 30-4-1904 [illegible]

2447

Dewan,

This is a urgent matter.

Please bring to Commissioner's notice

27/3/04

2/4 Pol 1235 § 7/4/04

I am transferred to the Secretariat to the Government of Mysore in the Mayor Department for disposal.

By order

for Secretary

27/4/04

Read 8/4/04

Submitted with notes

12/4/04

Put up with the other papers

16/4/04

A.C. No 1964 § 26.2.04

Pol No 6955 § 19.12.02 from Commr, relative to the case of Mahadeva Mistry for [illegible] house and [illegible] enlarge [illegible] Sub Yard - [illegible] the Mayor and the Municipal Office, or otherwise affecting

26.1.03

A.C.

19.3.04

Submitted

27/3/04

[illegible] No

[illegible] papers

[illegible] Municipal Dept

[illegible]

[illegible] Commr

[illegible] the [illegible] to

[illegible] Secretariat [illegible] do not [illegible]

[illegible] 23/3/04

Scan the correspondence does not [illegible] please see at once

-x-

1904

No. 1964

Name of Petitioner — Ramaswamyprathan

Village — Holenarasipur

Taluk —

District — Hassan

Date of Arzi — 10/2/04

Date of Receipt — 26/2/04

Date of Disposal —

No. of Enclosure — Nil

Addressed to H.H. the Maharaja

ABSTRACT

Remarks to this petition dt 9/4/01 regarding Timmegana-halli, Holenarasipur Hobli — complains that one Jaya-Ramachar, Patel of Timmegana-Wadu misappropriated certain amount of money and that no enquiry was held in the matter. Prays that proper enquiry be ordered to be held.

ಅರ್ಜಿ No. 2611 dt 25/2/04 from the Secretary to the Govt of Mysore, Rev Dept for disposal

Remarks,

(1) The matter pertains to Revenue Department

Reference ಜ್ಞಾಪನ 15.3.04 ನಂ 1074

ಜ್ಞಾಪನ 1064

14/3 16/3/04

Reference map has been traced to Gr No 6173 dt 27/11/02 from A.C Hassan No 380

29/3/04

3

MGCPB—5,000—10-11-02.

1514

Mysore Govt. Library
Date 21 - 2 - [illegible]

1964

MUZRAI SECRETARIAT.

190 —190

From M. Shama Rowlay

~~L. ANANTASAMI RAO, L. . . .~~, M.A

Offg ~~Deputy~~ Secretary to the Govt. of
H. H. the Maharaja of Mysore.
Muzrai Department.

To

The Dy Commr
Tumkur

Dated ~~31st March~~ 5th April 1904

Despatched

Received

General No. 3012
Muzrai F. No.

Enclosure No. 1

Reverting to Govt
Pro: No 2093-5 dt 23rd April 1903
Muz 710-95
directing the resumption of
the Inam village of Tammasandra
in the Kortagere Sub Taluk
endowed to the Sri Uttaradi mutt
has the honor to forward
herewith a petn presented
in person by Jayasamachar
protesting against the
assumption by Govt of

the Imam village, and
to request that the Kerai
Records forwarded with
the Proceedings referred to
above may be submitted for information
~~together with a detailed~~
~~report upon the allegations~~
~~contained in the petition~~

By order
Secy.

DVC 3 4. 14
Offg Secretary

JS
31/3/14

1904

From

The Offg: Secretary to the
Govt of H. H. the Maharaja
of Mysore
Agrl & Revn Dept

To

The Secretary to the
Govt of H. H. the
Maharaja of Mysore
Mujrai Department

Dated 6 May 1904

No. Pet / 1395 Enc:

Has the honor to transfer the accompanying petition No 2438 dt 29th April 1904 from one Ramaswamyappa of Hole Narsipur complaining that the Sarvamanya Dumgamahalli, Kortagere Dibbadalu grant to the Sri Uttaradi Matt has been alienated in favor of one Jayavanna Chetty.

'By order'

Asst Offg: Secretary

Rest
6/5/04
Rs

Ref.

V/Dec 29/4

Mysore C
General
Received
Date 29-4-1904

MYSORE GOVERNMENT
29 APR 1904
SECRETARIAT

2438

2438

1903 04

From K Doraswamy Iyr Esq,
offg Dep[uty] Commissioner,
Trunkur District

To M Shama Rao Esq, M A,
offg Secretary to the Government
of His Highness the Maha[ra]ja of Mysore,
Mysuru Department,

Dated 5th April
Despatched } May 1904
Received

General No. 557
No.

Enclosure No. 1 & 1 file

SORE GOVT
2760

7/5/04

Ans A
Please put-up papers
12/5/07

In reply to his docket No 302/2 dated 5th April 1904 I have the honor to forward herewith the entire records relating to the resumption of the Inam village of Thammegondanhalli in the Kunigal Sub Taluk endowed to the Sri Uttarade Matt and also the petition received with the above docketed

B B Shivaram
for offg Deputy Commissioner
of Trunkur District

11/5/04

ಪೈಸೂರು ಮಹಾಸಂಸ್ಥಾನದ ಶ್ರೀಮಂತ ಕಾರ್ಯಾಧಿಕಾರಿಗಳಿಗೆ

ಇಲ್ಲಿಯ ಕಛೇರಿಯಲ್ಲಿ ಇಲಾಖಾವಾರು ಸಂಖ್ಯೆಗಳನ್ನು ಕಾಗದಗಳಿಗೆ ಬರೆಯುವ ಪದ್ಧತಿಯನ್ನು
ತೆಗೆದುಹಾಕಿದ್ದಾರೆ.

1904ನೇ ಇಸವಿಯ ಜನವರಿ ತಿಂಗಳಿನಿಂದ ಕಛೇರಿಯ ಕೆಲಸಗಳನ್ನು ಸುಲಭವಾಗಿ
ಮಾಡಲು ಇದು ಬಹಳ ಅನುಕೂಲವಾಗಿರುವುದೆಂದು ತಿಳಿದುಬಂದಿರುವುದರಿಂದ
ಹಿಂದಿನ ಕ್ರಮವನ್ನು ಪುನಃ ಜಾರಿಗೆ ತರಲಾಗಿದೆ.

ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳು ಮುಗಿಯುವವರೆಗೂ ಹಳೆಯ ಪದ್ಧತಿಯಂತೆ ಕಾಗದಗಳಿಗೆ
ಸಂಖ್ಯೆಗಳನ್ನು ಬರೆಯಲಾಗಿದೆ. ಆದರೆ ಅಕ್ಟೋಬರ್ ತಿಂಗಳಿನಿಂದ ಹೊಸ ಪದ್ಧತಿಯಂತ

ಸಾಕ್ಷಿಗಳು ಸಹಿ

ಸಾಕ್ಷಿಗಳು ಸಹಿ

ಸಾಕ್ಷಿಗಳು ಸಹಿ

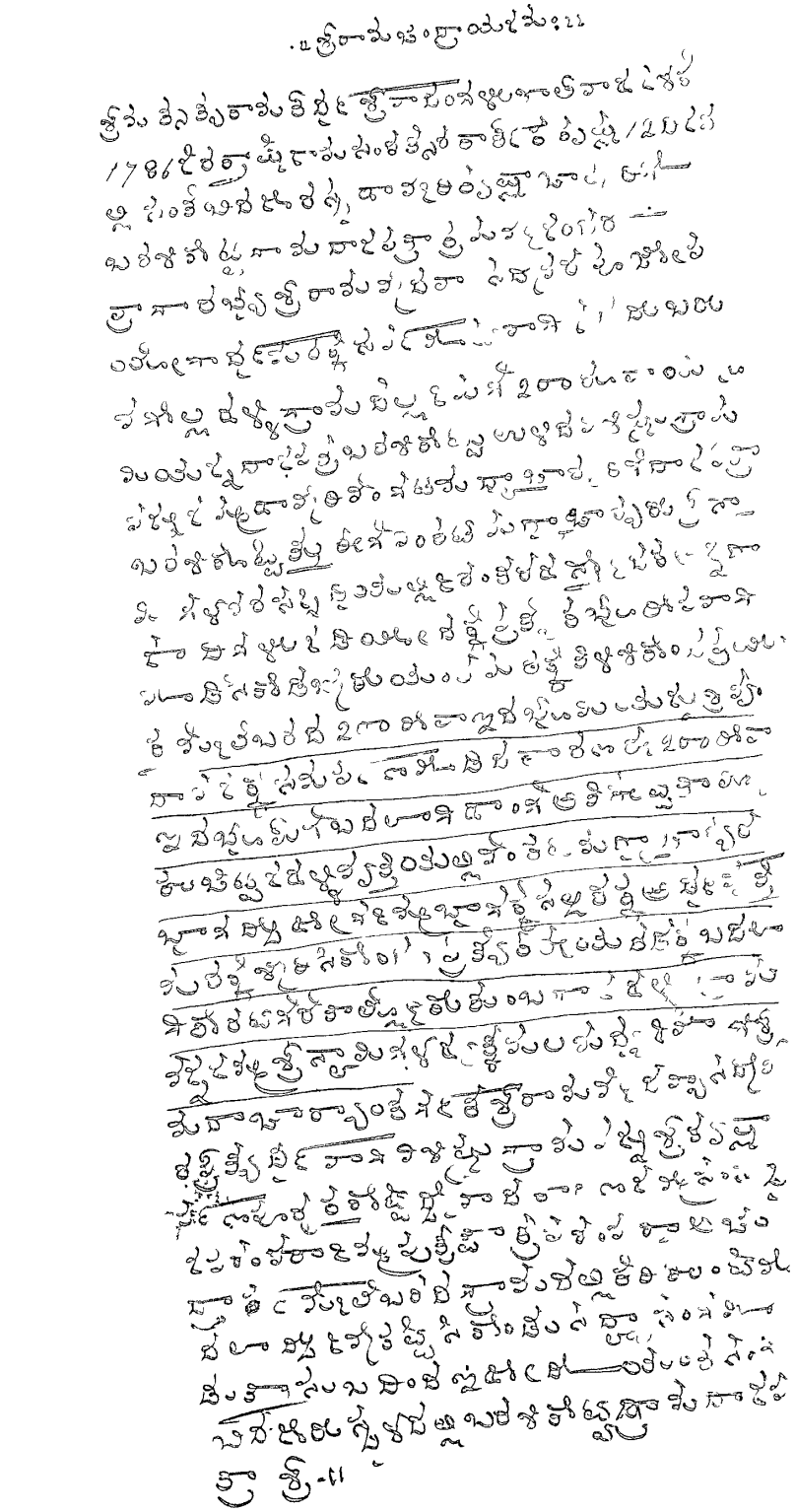
4 ದಿನದ ಅಜರ್ಿದಾರರು ಇದ್ದಾರೆಂದು ಪತ್ರಿಕೆಯಲ್ಲಿ ಪ್ರಕಟಣೆ ಮಾಡಿಸಿ ಅಜರ್ಿದಾರರು ಹಾಜರಾಗಲು ಕೋರ್ಟಿನ ಸೂಚನೆಯಂತೆ ಪ್ರಕಟಣೆ ಮಾಡಿಸಿದ್ದು ಅಜರ್ಿದಾರರು ಹಾಜರಾಗಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಅಜರ್ಿದಾರರ ಪರವಾಗಿ ಯಾರೂ ಹಾಜರಾಗಿರುವುದಿಲ್ಲವಾ

ಸೇವೆಗೆ ಸಂಬಂಧಿಸಿದ ಅಧಿಕೃತ ವಿಷಯಗಳನ್ನು ಹೊರತುಪಡಿಸಿ ಇತರೆ ಯಾವುದೇ ವಿಷಯಗಳನ್ನು ಈ ಪತ್ರದಲ್ಲಿ ಬರೆಯಬಾರದು. ಇಂಥ ಪತ್ರಗಳಿಗೆ ಉತ್ತರ ನೀಡಲಾಗುವುದಿಲ್ಲ ಎಂಬುದನ್ನು ಗಮನಿಸಬೇಕು. ಈ ಪತ್ರದ ಮೇಲೆ "Personal" ಎಂದು ಬರೆಯಬೇಕು. ಈ ಪತ್ರವನ್ನು ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳು ಮಾತ್ರ ತೆರೆದು ಓದ

ಸಲ್ಲಿಸಿದೆ. ಈ ಕಾರಣದಿಂದ ಸಲ್ಲಿಸಿರುವ ಮೇಲ್ಮನವಿಯನ್ನು ಪುರಸ್ಕರಿಸಿ ಆದೇಶ
ಮಾಡಬೇಕೆಂದು ಕೋರಿದ್ದಾರೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು ಹಾಜರಿದ್ದು ವಾದ
ಮಂಡಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು
ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು
ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು
ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ.
ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು
ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು
ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು
ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು
ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ.
ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು
ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು
ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು
ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು
ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ.
ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು
ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು
ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು
ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು
ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ.
ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು
ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ
ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ. ಮೇಲ್ಮನವಿದಾರರ ಪರ ವಕೀಲರು
ಮೇಲ್ಮನವಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳನ್ನು ಪುನರುಚ್ಚರಿಸಿದರು. ಪ್ರತಿವಾದಿಯವರು
ಹಾಜರಿಲ್ಲದಿದ್ದರೂ ಪ್ರಕರಣವನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲು
ಆದೇಶಿಸಿದ್ದರಿಂದ ಮೇಲ್ಮನವಿಯನ್ನು ಗುಣಾವಗುಣ ಆಧಾರದ ಮೇಲೆ ಇತ್ಯರ್ಥಪಡಿಸಲಾಗಿದೆ.

Pt. A

.. శ్రీరామచంద్రాయనమః ..



కా శ్రీ-11

కళలరులు శతకర్త
నారసనాచార్యులు

Seal :—

Balo Umid Chenai

ఓం -

In the Chief Court of Mysore
at Bangalore.

22nd day of April 1892.

Present- L. R. A Tamboochetty Esqr and P. A. Krishna-
-murthi Esqr

Appeal No 203 of 1891.

Pett + Appealant } Sree Sutya Dheena Sree padangalavaru
Gurn of the G. mutt.

Deft. + Respondent } Gooli Balachar.

Appeal against the decree of the Dist judge
of Nandee Doorg in O.S. No 65 of 1890.

This appeal coming on for hearing on
the Court delivered the following :-

Judgement.

Pett. who is the Gurn of the Gottavady mutt, and who
cover possession of the village of Gooli Haravi in
Tumkur Taluk, and mutt including certain
Brindavanams situated in Mysore Taluk. The
Cause of action was thus stated in plaint. That the
Deft was appointed by the mutt to worship at the
said Brindavanams and to manage the affairs
of the mutt at Mysore generally, and was according
about 8 or 10 years ago placed in possession of the
village in the Shedule here unto annexed, with
instructions to appropriate the produce of the said
village, or its value for the purpose of feeding Brahmi-

and other religious charges connected with the worship of the Said Brindavanums that up to 28 December 1888, the Deft accordingly did appropriate the produce of the Said Village as set out in para 3 of the Said plaint. But about that date, he became indifferent in the Said worship and was guilty of acts of Misconduct and Mismanagement of the properties of the Mutt and declared that he was the absolute owner of the Said properties and that the Mutt had no right, title, or interest in any of them and the Said Village. Owing to the afore Said acts of Misconduct and Mismanagement, the Pff. removed the Deft from the office to which he was appointed, but the Deft refused to deliver up possession of the Village and the Mutt including the Brindavanums to Pff. The cause of action accrued to Pff on or about the 28th December 1888.

The Suit was laid against Gooli Balachar who died Some time Subsequent to the institution of the Suit and his Sons are the present Defts. The defence was that one Gooli Balachar was the Guru of the Collanady Mutt until about 1842, that he executed the deed marked No 6 dated 13th May 1842, in favour of his Sons, Venkata Ramanachar and Venkatachar, that the Village, Mutt and Brinda-vanums in Dispute Came to their possession and enjoyment under that document, Subject to the performance of the Puja and other conditions therein Specified that one of the two Sons of Gooli B

the Said Venkatachar died issueless, that Subsequent Venkataramanachar died in 1851, when the present Defts late father Balachar was adopted and during his minority the Gottanady Mutt Manager the Village etc for and on his behalf and spent over the income that remained after defraying the expenses of the charities indicated in exhibit 6, for the maintenance of Balachar and his mother, that in 1882 the Village was restored to the Said Balac as per Sadi (ext a) dated 29th October 1881. to be held and enjoyed in accordance with the terms of the original grant (ext 6), that the poojah etc are being regularly performed and that the plaint allegations as to the misconduct and mismanagement, are false.

The district judge found that deft and his ancestors have been holding the village as Brindavanams in dispute since 1842 under ext 6, that successive heads of the peff Mutt acqui in and ratified the arrangement made in 1842, that no misconduct or mismanagement was proved against defts father and that peff therefore had a right to take possession of the Village etc The Suit was dismissed with costs. peff has preferred this appeal.

The appeal was ably argued by Mr. Rajagopal He disputed the genuineness of ext 6 and cont.

that even if it were a genuine document, the then Jamu was incompetent to make the alienation as being opposed to the terms of the grant of the Village by Sorh to the Druid, that as there was no necessity or consideration for the alienation, it was invalid and therefore not binding on the alienors Successors much less on the present Jamu, the pltff, and that granting that the alienation was binding on pltff, the breach of the conditions specified in exh 6, and the Misconduct and Mismanagement on the part of the defts to take Jatten, gave pltff Cause of action and entitled him to put an end to the original arrangement. ——.

It would be convenient to dispose of the questions of fact raised in pltffs appeal first, before considering the question of law involved in the Suit —.

Exh A which is admitted by pltff. confirmed the original grant of the Suit Village to defts late father Balachan, of refers to a previous patta (exh 3) and according to defts 4th wit, who swears that he was present when the grant was made under 6, that patta is exhibit 6, The document bears every appearance of genuineness. It is more than 30 years old and the 2nd wit for deft. who is a respectable and trustworthy witness, deposes to his having seen this document. (6) in 1869, when it was produced before the then palace comptroller and read to him by this 2nd

It was also produced before the Principal of Tanjore in 1884, when there was no dispute between the pltff & Mutt and deceased deft Balaca. The document is shown to have been in existence long before any dispute arose between the parties. It was followed by possession and enjoyment on the part of grantees for a period of nearly half a century, and according to the admission contained in the plaint, the Village which was for some time under Mutt management during the minority of Balachar, was on his attaining majority restored to him in 1881-82 as stated in A. to be enjoyed in accordance with the terms of the (Original Ex 5,) or previous document which is proved to be no other than Ext 6. The strongest argument put forward against the genuineness of ext 6 is, that if it was in existence in the date of A, it would have been particularly referred to in A, giving the year, month and date thereof. Pltff 5th wr. stated that no 7 was the document that was produced and referred to when A was executed. If so it may be asked why its date was not inserted in A. It is evident that the writer of A for some reason or other, omitted to insert the date of the Poorva patta. No 7 cannot be the Purva patta. It is an order issued by the Mutt to one Sheshagiry Bhattachar who was in possession of the Suit Village on behalf of the late Deft.

It does not fall under the late Jury of patna. The
remarks made as to the demeanor of pefft's 5th wit,
other witnesses by the learned judge who tried
case, show that these witnesses have not given their
dence in a strait forward and truthful manner,
then statements as opinions formed on a comparison
the Signature and hand writing in No. 6 with other
dmitted documents cannot be implicitly relied
upon. The dist judge has given cogent reason
for holding that No. 6 was a genuine document
and that that was the document referred to in a
This finding must be upheld.

Then as regards the alleged misconduct and mis-
- management imputed to the late Deft. Balachar,
it must be remembered that no specific acts of
misconduct etc are set forth in plaint, and
that there is no reliable evidence to support the
general allegations made in plaint. On the contrary
the evidence of some of pefft's own witnesses show
that those allegations have no foundation in truth.

Pefft's 7th wit Poolla Roodachar stated that
since 8 years, the worship has been neglected, the
feeding has been discontinued and no body has
been looking after the Brindavanams. This wit
is directly contradicted by the 8th wit Ramagiri-
Venkobachar who deposed as follows: —
poojah is going on regularly, so far as I know
there is nothing to complain of in the matter
of worship, burning lamps etc.

The 18th wit pinnashothamachar, pltffs agent was also obliged to admit that there was no cessation in the performance of the poojah. pltffs 5th witness alleged that feeding has been discontinued since 6 years where as the 18th witness Stated that Deft neglected to feed Brahmins only since 3 years. The principal feeding or Samaradhana which takes place twice a year is, it is admitted by pltffs 9th wit, regularly continued. It is the daily feeding that is said to have been discontinued, according to pltffs 5th witness, the mutt Servants and 8 or 4 Strangers ought to be fed daily, but none of the past or present Servants has been called to prove that there was no such feeding. The mutt accounts Showing what has been done during the time the Village was managed for Defts father and how many persons used to be fed daily have not been produced. They are said to have been lost. The 18th wit, was unable to give the name of a Single person who was refused feeding or accommodation. The 8th wit Ramagiri Venkoba-char admitted that Such persons as could eat in Defts house were actually fed by him. The 9th wit Balachar admitted that he and another were fed daily by Deft for 5 or 6 years when he was de poojah and that one Venkobachar was the present poojari. The deceased Defr in his examination Swore, that the poojah has since

have been regularly carried on and but for the misunderstanding that arose between the Mutt people and the late Deft, just about the time this Suit was laid Balachar would not have been found fault with The evidence offered for pefr is replete with discrepancies, and the admissions which pleffs witnesses were reluctantly obliged to make prove that deft did not misconduct himself in any manner and did not disclose any indifference, or neglect in looking after the Brindavanmar carrying on the charities in accordance with exh 6 and A. It was allaged that the Mutt building and Brindavanmas were in a dilapidated condition. There is absolutely no evidence to support this allegation. The late Deft was in the Mutt personally looking after the Brindavanmas for about 12 years as admitted by pefrs fifth witness. The 10th witness Srinivasachar admitted that the Brindavanmas were now in the same condition, in which they were many years ago. There is nothing to show that either the Mutt building or the Brindavanmas are out of order. The pefrs advocate in the course of his argument represented to the Court that the deceased deft had converted the Mutt into a dwelling house and has profaned the Sanctity of the place and thereby rendered himself unfit to be entrusted with the management of the charities. None of the pefrs

Specially refer in their evidence to this alleged dis-
-qualification and there has apparently been
~~Also~~ no remonstrance against Defts father
living in the Mutt during the 12 years previous
to this Suit.

Having now disposed of the question of
fact, the next point for consideration is whether
the grant made as per ext 6, and confirmed
by ext a was binding on the present
of the Gottrady Mutt. It was contended in the
instance that there was no consideration the
grant. The fact that the grantee undertook
to manage the affairs of the Mutt, to look
after the Brindavanums, to perform and
caused to be performed Hattodaka,
Annadana, the Samaradhana etc as required
in ext 6 & a, sufficiently constitute a good
and valid consideration for the grant. The
grantee was put in possession of the Village
and allowed to appropriate the income
subject to his carrying on the charities and
other prescribed services. It was a conditional
grant made in consideration of the grantee
undertaking the duties and responsibilities
connected with the performance of certain
charities connected with the Mutt,

it could not be said that it was devoid of consideration. There was apparently no alienation giving away the property absolutely to the grantee The grant was subject to the performance of certain duties and conditions, and the late Deff in his examination clearly admitted that he was bound by the terms of Sethandi, and that if he had no heirs who could act up to the conditions of the said documents the estate must revert to the Mutt. Whether the arrangement under 6 and a was [illegible] as the then Guru of the Mutt could have legally sanctioned or not it is quite evident from the tenor of the present plaint, that Deff, the present Guru also acquised in the arrangement and allowed the late Deff to appropriate the produce of the Suit-Villages for the purposes mentioned in A. This Suit was not brought to set aside the original grant to Deffo ancestors on the broad ground that Deffo predecessors in title were incompetent to make the grant, and that the so called alienation was illegal and invalid for want of necessity and consideration, but it was brought to recover the properties entrusted to Deffo father on the special allegation, that the terms of the grant

~~grant~~ were not fulfilled and the father of Defts was guilty of misconduct and mismanagement. The plaint and pleadings in this case do not raise the broad question as to the inalienability of village etc which the Guru of the Vellradi holds in trust for the Mutt in his capacity of Guru. The question raised by the plaint is simply whether the defts father had by his misconduct and mismanagement rendered himself liable to be divested of the property entrusted or given to him under the terms of exts and 6. No misconduct and mismanagement has been proved and the suit in the form which it has been brought on the particular allegations made therein which have been to be false, is liable to be dismissed —

The question of limitation does not properly arise in this case and it is therefore deemed unnecessary to decide it. —

This appeal is dismissed with costs.

(Signed)

ఆ.ప్ర.

ఆ.ప్ర.

ఆ.ప్ర.

ನಿಮ್ಮ ಅಪ್ಪಣೆಯಂತೆ ಸಲ್ಲಿಸಿರುವ ಮನವಿ ಪತ್ರ

ಸಲ್ಲಿಸುವವರು ಅಂಚೆ ಚೀಟಿ ಅಂಟಿಸಿ ಸಹಿ ಮಾಡಬೇಕು

ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ದಿನಾಂಕ

ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಸ್ಥಳ

ಅರ್ಜಿದಾರರ ಸಹಿ

ಅರ್ಜಿದಾರರ ಹೆಸರು

ಅರ್ಜಿದಾರರ ವಿಳಾಸ

ಅರ್ಜಿ ಸಲ್ಲಿಸಿದವರ ಹೆಸರು ಮತ್ತು ವಿಳಾಸ

ಅರ್ಜಿ ಸಲ್ಲಿಸಿದವರ ಸಹಿ

ಅಂಕಿತ ಮತ್ತು ಹೆಸರು

ಸಹಿ ಮತ್ತು ಹೆಸರು

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ಅಭ್ಯರ್ಥಿಯ ಹೆಸರು ಮತ್ತು ಪಕ್ಷದ ಹೆಸರು

	ಅಭ್ಯರ್ಥಿಯ ಸಂಖ್ಯೆ			ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಬಂದ ಮತಗಳು		
ರಾಜೀವ ಅಭಿವೃದ್ಧಿಗಾಗಿ ಕಾಂಗ್ರೆಸ್	8	4	-	-	-	-
ಸಮಾಜವಾದಿ ಪಕ್ಷ	2	-	-	2	.	.
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ಕರ್ನಾಟಕ ಕಾಂಗ್ರೆಸ್ (ಐ)	.	.	.	.	.	.
ಪಕ್ಷೇತರ ಅಭ್ಯರ್ಥಿಗಳು	10	7	3	4	9	8
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ನಿರ್ಧಾರವಿಲ್ಲ	.	1	-	.	1	1
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ಸಂಗ್ರಹಣಾ ಅಧಿಕಾರಿಯ ಸಹಿ
ದಿನಾಂಕ 23-6-94
ಸಂಗ್ರಹಣಾ ಸಮಯ 14-11-94
ಸ್ಥಳ

ಒಟ್ಟು - ಮಾನ್ಯ ಮತಗಳು ಅಮಾನ್ಯ -
ಸಹಿ - ಪೂರ್ಣ ಹೆಸರು
ಸಹಿಗಾರರ ಹುದ್ದೆ

ಸಂಗ್ರಹಣಾ ಅಧಿಕಾರಿಯ ಸಹಿ

Presented by
Plaintiff
on 27.2.92 Exhibit D
Judge
Munsiff
10-2-93

Ext F

Examined
25-2-92
Sd Robert Cole
Supdt

Reported
Sequestration vrs
7th April 79 to 21 Oct

Exhibit

Register 1-6-45

Certified that the proper Stamp duty and penalty viz, Rs 10-0-0 and Stamp duty viz, Rs 200/- ~~Rs 200~~ have been levied on this document - 17-4-79

Signed & Delivered
by the Officer

Bilgam Sub Court

(orig kept & original returned

"Ind"

1 c 470/1979

Document produced by defendants

Exhibit A-10.

19-10-91

3327

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore 19th April 1904

M 3945
Secl

Submitted
[illegible]
4/7/04

Petition--- as shown below, to His Highness the Maharaja

transferred to the [illegible]

~~for~~ [illegible]

[illegible]

No.

1865 & 15 6 04

By Order,

[illegible]
I. C. S.
Private Secretary
to H. H. The Maharaja of Mysore.

This Petn is included in the Office Note in the File [illegible]
15/3/04

R 6176

Transferred to the Secretary, Lotte. Govt.
in the Mudrai Department.

Mds 17th January 1905

For Secretary

(2)

మైసూరు శ్రీమన్మహారాజవారి కార్యనిర్వహణ

కమిషనరాలు ఆఫీసులోనికి

A.D. గుర్తు

OA. గుర్తు

2.

వీరి అధీనంలోని సంస్థానాల్లోకి సేవకులను

మరియు వీరి అధీనంలోని ఉద్యోగులకు వేరే

ఉద్యోగాలిచ్చినా లేదా ఉద్యోగంనుండి తొలగించినా

వారి స్థాయిని బట్టి అధికారులు చేయవలసిన

క్రియలు కర్ణాటక ప్రభుత్వానికి లేదా అధికారులకు

చెల్లింపులు మరియు వేతనాలు గురించి

పన్నెండు నిబంధనలు రూపొందించి

గెజిట్ నోటిఫికేషన్ ద్వారా ప్రకటించిన

క్రియలు నం 1906 నేటి జనవరి 6 నాటి

నం 2697 నోటిఫికేషన్ ద్వారా

సలాం లు.

క్రియలు మరియు గ్రామ

మున్సిపల్ వ్యవహారాలు చేసే చెల్లింపులు

సర్కారు ఖజానా ద్వారా నేరుగా ఉద్యోగులకు

నిమ్న అధికారి విధేయుడు - ఈ

యేనుగొండి చలాన్ మరియు రిక్వెస్ట్

మంజూరు చేయవలసినదిగా కోరుతూ

- 2-05 Fair copy -

15/2/05

Secretary